

110TH CONGRESS
1ST SESSION

H. R. 1774

To amend title XVIII of the Social Security Act to establish a separate definition of outpatient speech-language pathology services under the Medicare Program in order that direct payment to speech-language pathologists may be made under the Medicare Program.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2007

Mr. BUTTERFIELD (for himself, Mr. INSLEE, Mrs. CAPPS, Mr. FERGUSON, and Ms. SCHWARTZ) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to establish a separate definition of outpatient speech-language pathology services under the Medicare Program in order that direct payment to speech-language pathologists may be made under the Medicare Program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. MEDICARE SEPARATE DEFINITION OF OUT-**
2 **PATIENT SPEECH-LANGUAGE PATHOLOGY**
3 **SERVICES.**

4 (a) IN GENERAL.—Section 1861(ll) of the Social Se-
5 curity Act (42 U.S.C. 1395x(ll)) is amended—

6 (1) by redesignating paragraphs (2) and (3) as
7 paragraphs (3) and (4), respectively; and

8 (2) by inserting after paragraph (1) the fol-
9 lowing new paragraph:

10 “(2) The term ‘outpatient speech-language pa-
11 thology services’ has the meaning given the term
12 ‘outpatient physical therapy services’ in subsection
13 (p), except that in applying such subsection—

14 “(A) ‘speech-language pathology’ shall be
15 substituted for ‘physical therapy’ each place it
16 appears; and

17 “(B) ‘speech-language pathologist’ shall be
18 substituted for ‘physical therapist’ each place it
19 appears.”.

20 (b) CONFORMING AMENDMENTS.—

21 (1) Section 1832(a)(2)(C) of the Social Security
22 Act (42 U.S.C. 1395k(a)(2)(C)) is amended—

23 (A) by striking “and outpatient” and in-
24 serting “, outpatient”; and

25 (B) by inserting before the period at the
26 end the following: “, and outpatient speech-lan-

1 guage pathology services (other than services to
2 which the second sentence of section 1861(p)
3 applies through the application of section
4 1861(ll)(2))”.

5 (2) Subparagraphs (A) and (B) of section
6 1833(a)(8) of such Act (42 U.S.C. 1395l(a)(8)) are
7 each amended by striking “(which includes out-
8 patient speech-language pathology services)” and in-
9 serting “, outpatient speech-language pathology
10 services,”.

11 (3) Section 1833(g)(1) of such Act (42 U.S.C.
12 1395l(g)(1)) is amended—

13 (A) by inserting “and speech-language pa-
14 thology services of the type described in such
15 section through the application of section
16 1861(ll)(2)” after “1861(p)”; and

17 (B) by inserting “and speech-language pa-
18 thology services” after “and physical therapy
19 services”.

20 (4) The second sentence of section 1835(a) of
21 such Act (42 U.S.C. 1395n(a)) is amended—

22 (A) by striking “section 1861(g)” and in-
23 serting “subsection (g) or (ll)(2) of section
24 1861” each place it appears; and

1 (B) by inserting “or outpatient speech-lan-
2 guage pathology services, respectively” after
3 “occupational therapy services”.

4 (5) Section 1861(p) of such Act (42 U.S.C.
5 1395x(p)) is amended by striking the fourth sen-
6 tence.

7 (6) Section 1861(s)(2)(D) of such Act (42
8 U.S.C. 1395x(s)(2)(D)) is amended by inserting “,
9 outpatient speech-language pathology services,” after
10 “physical therapy services”.

11 (7) Section 1862(a)(20) of such Act (42 U.S.C.
12 1395y(a)(20)) is amended—

13 (A) by striking “outpatient occupational
14 therapy services or outpatient physical therapy
15 services” and inserting “outpatient physical
16 therapy services, outpatient speech-language pa-
17 thology services, or outpatient occupational
18 therapy services”; and

19 (B) by striking “section 1861(g)” and in-
20 serting “subsection (g) or (ll)(2) of section
21 1861”.

22 (8) Section 1866(e)(1) of such Act (42 U.S.C.
23 1395cc(e)(1)) is amended—

1 (A) by striking “section 1861(g)” and in-
2 serting “subsection (g) or (ll)(2) of section
3 1861” the first two places it appears;

4 (B) by striking “therein) or” and inserting
5 “therein),”; and

6 (C) by inserting before the semicolon at
7 the end the following: “, or (through the oper-
8 ation of section 1861(ll)(2)) with respect to the
9 furnishing of outpatient speech-language pa-
10 thology”.

11 (c) EFFECTIVE DATE.—The amendments made by
12 this section shall apply to services furnished on or after
13 January 1, 2008.

14 (d) CONSTRUCTION.—Nothing in this section shall be
15 construed to affect existing regulations and policies of the
16 Centers for Medicare & Medicaid Services that require
17 physician oversight of care as a condition of payment for
18 speech-language pathology services under part B of the
19 medicare program.

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